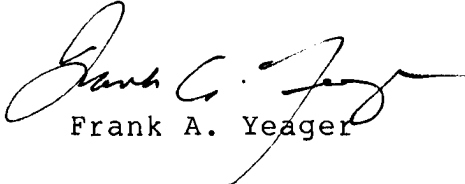


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CONFIDENTIAL

MEMORANDUM FOR THE RECORD

The attached staff paper on removal authorities, staff reductions and outplacement in State was developed by Jim Sweet based on interviews and the data in the file which was provided by State staff. The staff paper was reviewed and concurred in by State in terms of accuracy in reporting views expressed in the meetings.


Frank A. Yeager

12/20/88

REMOVAL AUTHORITIES, STAFF REDUCTIONS AND OUTPLACEMENT **Bureau of Intelligence and Research**

Removal Authority

The Secretary of State's authority to remove Foreign Service Officers assigned to INR is contained in PL 96-465, the Foreign Service Act. INR career civil service employees are removed under the provisions of Title 5 USC. PL 96-465 authorizes the Secretary to terminate employment of members of the Foreign Service for any reason, including "selection out" without the right to appeal outside the Department. Procedures governing removals of civil service employees are handled in a manner prescribed by OPM (FPM Chapt 752) and other provisions of law. Career civil service employees have appeal rights to MSPB. Foreign Service Officers are covered by a different set of procedures which have been established by the Department in accordance with Chapter 10 of the Foreign Service Act. INR is a very small component of the State Department (about 100 Foreign Service Officers and 250 civil servants) and removals are a rarity. In the past 3-1/2 years, there has only been one person terminated, and that was a civil service employee for unacceptable performance.

General Staff Reductions

If faced with a significant staff reduction, INR (State Dept) would initially implement a hiring freeze, would seek early optional retirement authority if that were not enough, and, as a last resort, would initiate a RIF. Only civil service employees would be subject to a RIF, which would be conducted in accordance with policy and procedures as prescribed by OPM. Although members of the foreign service are exempt from RIF, they are still subject to "selection out" by the Secretary. There has not been a major RIF in the State Dept. since 1954. However, earlier this year early optional retirement was authorized for some 40 State Dept. employees (three in INR) as a result of budgetary cuts.

Outplacement

State Dept. conducts an comprehensive and effective outplacement program under the direction of the Office of Career Transition. The Career and Retirement Counseling Services Program is designed to provide information and assistance to employees so they may plan and prepare for retirement, and to provide assistance and counseling for those involuntarily separated (other than for

cause) to ease transition into other employment. It is not intended that the program be one of job placement, but instead to provide personal preparation and assistance in the transition from active service with the Dept. of State. Priority for involvement in the program is given to those employees facing mandatory or involuntary separation or retirement. Others may participate on a space available basis. The program is open to both foreign service and civil service employees and is run four times each year. Each class runs for 90 days (30 days for civil service employees), with about 50-70 participants in the summer session and about 20 in each of the other classes. Participants must complete the program and retire or pay back the amount of base salary for the period of full time participation in the program.

Adequacy of Current Program

Adequate authorities exist in law for the Secretary to remove members of the Foreign Service or civil service employees of the Dept. of State as may be required. Similarly, adequate adverse action and staff reduction procedures are also in place.

The State Dept.'s outplacement program is exceptionally good, and, although the scope of the program is justified on the basis of providing assistance to those involuntarily separated or retired, some kind of similar program would be very worthwhile for other IC agencies who have nothing comparable to offer.

353/ September 29